

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>4/6/10</u>
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MATTHEW MAYO,

Plaintiff,

-v-

SGT. PALOMBA, OFFICER J. TEJEDA,
OFFICER DEXTER MILES, INMATE JOHN
SMITH,

Defendants.
-----X

09 Civ. 9922 (DLC)

ORDER

DENISE COTE, District Judge:

This case has been assigned to this Court. The complaint was filed on December 3, 2009, but our files reflect that the complaint was never served on the defendants. It is hereby

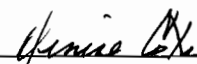
ORDERED that the plaintiff advise the Court in writing why plaintiff has failed to serve the summons and complaint within the 120 day s prescribed by Rule 4(m) of the Federal Rules of Civil Procedure, or, if you believe that the defendants have been served, when and in what manner such service was made.

IT IS FURTHER ORDERED that if we do not receive any written communication from you by **May 6, 2010**, showing good cause why such service was not made within the 120 days, the Court will dismiss the case.

In addition, in the event that your address changes, please be sure to inform the Court of your new address. Failure to do so may result in dismissal of your lawsuit.

SO ORDERED:

Dated: New York, New York
April 6, 2010



DENISE COTE
United States District Judge

COPIES SENT TO:

Matthew Mayo
190049
Westchester County Jail
P.O. Box 10
Valhalla, NY 10595